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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,295	06/07/2000	Gopal S Krishna	95-321	9134
7590 08/11/2004				
Farkas & Manelli PLLC 2000 M Street N W 7th Floor Washington, DC 20036-3307		EXAMINER VANDERPUYE, KENNETH N		
		ART UNIT		PAPER NUMBER
		2661		8

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/588,295

Applicant(s)

KRISHNA ET AL.

Examiner

Kenneth N Vanderpuye

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,7-10,12,13 and 16 is/are rejected.
- 7) ☒ Claim(s) 2-6,14 and 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7-10, 12-13, 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Bellenger (5,949,786).

With regards to claim 1, Bellenger teaches a method in a network switch comprising:

receiving a data packet on one of a plurality of network switch ports(Fig. 2 flow switch), generating a packet signature(pseudo-random tag) of the received data packet by hashing selected portions of the received data packet(Dest, Source, IP Header) based on prescribed hash action values of a user programmable template(Fig. 6@600, also col. 5 lines 53-61).

With regards to claim 7, Bellenger teaches a method further comprising simultaneously comparing the packet signature with a plurality

of stored packet signatures for classification of the data packet relative to a plurality of user programmable templates(each flow detect filter has a user defined template which specifies bytes of an incoming frame which are to be hashed, Fig. 5).

Claim 8 is rejected because Bellenger teaches storing the packet signature of the data packet in a memory for the corresponding user-programmable template(col. 7 lines 37-38):

Claim 9 is rejected in light of claim 7, because several packets are received, hashed(pseudo-random tag, Fig. 6) and compared(match logic, Fig. 6).

Claim 10 is rejected because in Bellenger, each flow detect filter includes a template register, and a comparison is made with the stored specified bytes(signatures).

With regards to claim 12, Bellenger teaches a network switch comprising: a table configured for storing user-programmable templates(Fig. 6@600, note each flow detect filter includes a template register, col 7 lines 12-20), each user-programmable template including has action values that specify selected portions of a received data packet to be hashed for generation of a packet signature(col. 7 lines 12-20, also

col 5 lines 53-61), a hash generator configured for hashing the selected portions of received data packet based on the hash action values to generate the packet signature for the received data packet(Fig. 6@620), a comparator configured for comparing the packet signature of the received data packet with at least one stored packet signature for classifying the received data packet relative to the corresponding user programmable template and prescribed user-defined policies(Fig. 6@614, match logic).

Claim 13 is rejected because Bellenger teaches storing the packet signature of the data packet in a memory for the corresponding user-programmable template(col. 7 lines 37-38).

Claim 16 is rejected because Bellenger teaches an integrated circuit flow switch(Fig. 2, col. 4 lines 47-65)

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by

Wicklund(6,034,958)

With regards to claim 1, Wicklund teaches a method comprising:
receiving a data packet on one of a plurality of network switch ports(Fig. 4),
generating a packet signature of the received data packet by hashing
selected portions of the received data packet(col. 5 lines 40-45) based on
prescribed hash action values of a user programmable template()

Allowable Subject Matter

Claim 2-6, 14-¹⁶~~5~~ are objected to as being dependent upon a rejected
base claim, but would be allowable if rewritten in independent form
including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications
from the examiner should be directed to Kenneth N Vanderpuye whose
telephone number is 703-308-7828. The examiner can normally be
reached on M-F(7:30-5:00) Second Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the
examiner's supervisor, Doug Olms can be reached on 703-305-4703. The
fax phone number for the organization where this application or proceeding
is assigned is (703) 872-9306.

Application/Control Number: 09/588,295
Art Unit: 2661

Page 6

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

KNV
8/8/04


KENNETH VANDERPUYE
PRIMARY EXAMINER